

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No: 03-CR-80658

GEORGE CLINT SINGLETON

Defendant.

ORDER DENYING MOTION FOR RELEASE

Defendant has filed a motion for release from custody pending re-sentencing, and the government has responded in opposition. A person who is awaiting sentencing *shall* “be detained” unless the district court determines that the defendant is not likely to flee or does not pose a danger to others. 18 U.S.C. § 3143(a). Additionally, a defendant who has appealed *shall* “be detained” unless his appeal is likely to result in the imposition of “a reduced sentence to a term of imprisonment less than the total of the time already served” 18 U.S.C. § 3143(b).

After considering the briefs, the court is not convinced that Defendant’s appeal and re-sentencing is “likely” to result in a term of imprisonment less than the total of the time already served.

IT IS ORDERED that Defendant’s Motion for Release from Custody [Dkt. #37] is DENIED.

A separate Order governing the steps to be taking in preparation for re-sentencing will issue forthwith.

S/Robert H. Cleland

ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: December 27, 2005

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 27, 2005, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522